



**Regular Meeting of the Planning Commission
The Chambers at City Center
8534 Main Street – Woodstock, Georgia**

DRAFT MINUTES
Thursday, December 6, 2012 7:00 PM

Item 1: PLEDGE OF ALLEGIENCE

**Item 2: CALL TO ORDER 7:03 Pm In Attendance: John Szczesniak, Joe Linden, Judy Davila, James Drinkard, Lee Zell, Jeff Wood, K. Scott Gordon.
Staff: City Planner Brian Stockton, Zoning Administrator Patti Hart**

Item 3: APPROVAL OF MINUTES

A) Approval of October 4, 2012 Regular Meeting Minutes

Motion to approve as presented.

**By John Szczesniak
2nd Judy Davila**

Passes by Unanimous Vote

Item 4:

A) PUBLIC HEARING – (Case V#105-12) The City of Woodstock has received a variance application from Dimension Development Partners, LLC of Atlanta, GA. The property is located east of I575 on the south side of Ridgewalk Parkway and is commonly known as Outparcel #6 of the Outlet Shoppes of Atlanta in Woodstock, GA. The property is identified as tax map and parcel number 15N17 001G of ±1.09 acres. The property is zoned LI w/ Technology Park Overlay District Zoning and the request is for relief from conditions placed on Variance Case V#101-11.

Brian Stockton presented staff report and read the recommendation.

At the November 11, 2012 meeting the Development Process Committee (DPC) voted unanimously to recommend approval of five variances;

- 1)** A variance is granted from V#101-11 Condition #1 requiring the maximum build to line of 18 feet to allow between 40' to 50' from the back edge of the sidewalk against both the Ridgewalk Parkway and future Woodstock Parkway frontages as depicted on the site plan by Grimail Crawford Inc. dated 9.6.12.
- 2)** A variance is granted from V#101-11 Condition #2 Request for relief from requirement for all buildings to be built to cover a minimum of 60% of the frontage along the entire width of the parcel as measured all the “build-to line.

- 3) A variance is granted from V#101-11 Condition #4 Ridgewalk Parkway to vary the minimum 50% clear glazing facing the public street to provide a minimum of 30 % of the linear measurement of the side façade as clear glazing on both the Ridgewalk Parkway and future Woodstock Parkway frontages as depicted on the site plan by Grimal Crawford Inc. dated 9.6.12.
- 4) A variance is granted from V#101-11 Condition #5 to eliminate the requirement for all buildings to have 1 functional entry facing the public street against both the Ridgewalk Parkway and future Woodstock Parkway frontages as depicted on the site plan by Grimal Crawford Inc. dated 9.6.12.
- 5) A variance is granted from V#101-11 Condition #7 to eliminate the requirement for dumpsters to be located behind the building from both road frontages. The dumpster shall be sufficiently screened and located out of view of the public and the location of the dumpster shall be approved by the city in the site review process.

David Shanahan – Dimension/Trilogy 6400 Powers Ferry Atl - We have two sellers' requirements we have to meet with this property; 1 We must be able to obtain variances to the conditions and 2. We must be able to obtain all permits needed.

The corner of Woodstock Pkwy and Ridgewalk parcel sits at approx 20 feet above intersection after grading. This is not subject to negotiation with the seller. The large grade differential creates two conditions; an 18 ft retaining wall would continue to outlot #5, around the corner and full length of Ridgewalk parkway Woodstock Parkway to internal drive. Not financially feasible and defeats the purpose of bylaws. Var #1 & 1A (same req.) would vary from 18 ft build to line and allow the building to slide back and allow us to achieve what we are proposing.

The property has 2 frontages on public streets which, due to topography, are not accessible to the vehicular or pedestrian public.

Variances 2A & B would allow us to vary from the min 50% glazing requirement since the property has two inaccessible public frontages. There is no vehicular or pedestrian on those streets no driveway, no way to achieve ADA compliance.

Variances 3A & B - 1 functional entrance – not functional cannot achieve ADA access

Variance 4 requires dumpster to be screened and located behind the building from view from street. We will screen the dumpsters but since there are two public frontages we cannot meet code by putting dumpster behind building.

Variance 5 requires a minimum of 60% frontage. We have two very dif frontages; Long access proposed on Ridgewalk Parkway short access proposed on Woodstock Pkwy. We may end up meeting code on Woodstock but we do not have an anchor tenant at this time and do not have a final plat for what we are buying.

Jeff Wood – Why couldn't form based code be applied to this property?

Brian Stockton – The typical minimum site is five acres for FBC's. It would be very difficult to try to develop a one acre parcel to Form Based Code standard.

Jeff Wood – Does the design comply with architectural requirements?

Brian Stockton – It conforms with Technology Park which governs this property.

John Szczesniak – Will the area between road and retaining wall be landscaped?

David Shanahan – Yes there will be master landscaping at the toe of slope by Horizons, and we landscape up the slope. The concept drawing with the retaining wall shows what the site would look like if built without variances to current standards.

K. Scott Gordon – Will you have all ground cover beyond the master, I assume there will be nothing that will block the building?

David Shanahan – That is a reasonable assumption. There may be some vertical plantings.

Brian Stockton – They have tree requirements that they have to meet.

Joe Linden – Were you aware that the roads might change prior to decision to purchase?

David Shanahan- Were aware that Woodstock Pkwy was being relocated but the number of parcels and size of parcels moving target until mid summer, but we were not aware of how substantial the grade change would be. We were told by CBL that there would be a retaining wall in place upon our purchase. When we received the grading plan we found that there were no retaining walls. That started the process for us.

K. Scott Gordon – It would appear, logistically, that the dumpster would need to be on inner drive for equipment access. Is it safe to assume that NE corner of North West end of the building?

David Shanahan – One option is to have it at the corner of Woodstock and the access drive as proposed on the concept plan– access is fine but not crazy about truck through parking lot – not interested in food at this point. Dumpster enclosure as base of monument sign – we have discussed this w/staff – under consideration. Or extending façade of building and put the dumpster behind it.

Jeff Wood – Is parking sufficient for any use that might have?

Brian Stockton – The applicant has been forewarned but we haven't compared uses. They have not asked for parking variances and can over park with pervious by code if they wish.

PUBLIC HEARING OPENED and CLOSED 7:45 No Speakers

James Drinkard – As I understand your presentation, if variances are granted we know what the project will NOT look like based on the elevations you presented. We don't know what landscaping or site will look like. We are not completely sure what the parcel will look like at this point. Is this correct?

David Shanahan - Yes, We are subject to many levels of review beyond the city. If we were to receive the relief we still have to achieve architectural review and site plan review. I am here in step one to create enough flexibility that we can meet the ultimate requirements.

Motion to approve case #V105-12 with recommendation as presented by staff.

By Jeff Wood
2nd Joe Linden

Jeff Wood – I understand the challenges of particular site and zoning challenges under Technology Park. With no real access the applicant is still willing to put some glazing on a side of the building that doesn't face anything. They have done a good job to get it to us with minimal requested variances.

Joe Linden – Would like to give them an opportunity to move forward. This is a small site compared to all else up there.

John Szczesniak – I am torn because we don't have a complete site plan not accurate. Hesitant to approve based on computer models. Sympathetic to what they're going through but not comfortable with hypothetical nature of the request. I can't approve without an actual site plan.

Jeff Wood – (Question for staff with approval) is this in compliance with architecture of overlay.

Brian Stockton – Mostly similar, with a few tweaks. (Directed to John Szczesniak with approval)

The 12.6.12 site plan in the packet is the actual site plan and shows the slope, not the retaining wall – if variances are approved this is what you will see.

John Szczesniak – That is better but the grading may still change they are still negotiating things. Knowing that is the real site plan makes me feel better about this.

Lee Zell – Would like to see more of a final plan including landscaping, how glazing will be handled etc.

David Shanahan (with approval to address questions) – The question is very legitimate. I have to get zoning relief to accomplish this site plan and the site plan cannot be approved without variances. In regard to the glazing, we may be able to achieve code but I may not control my own destiny; the glass on back of bldg is security issue, tenants will say no.

K. Scott Gordon – This case has hardship all over it. The applicant actually tried to work with code and showed why it didn't work. I am very appreciative that you presented what you would prefer not to do. Request 1 and 2, regardless of what comes to this site, it will be 18 ft retaining wall with hand rails and guard rails. It may be hardship with glass as well, w/o vehicular and pedestrian access, not worried about precedent on other sites. Dumpster hardship is access of equipment, paving and turning radius', they're willing to extend the building out to capture that. Minimum relief for 60% frontage, what's left appears to exceed that. The 11.6.12 site plan does a good job of demonstrating what we will get with variances granted. Feel the need to say that the ignorance of the Ridgewalk Overlay District is what puts us in this position of considering these variances on the outparcels.

Judy Davila – Thinking in the future driving down Ridgewalk Parkway, would rather see slope with plantings than retaining wall, as long as dumpster is screened for the future neighbor, understands hardship.

Jeff Wood – Glazing facing a road and should be visible from road – like that staff included that some glazing is required.

Lee Zell – Visual back of bldg – don't want to see all brick from road; varying trees to break up massive expanse of wall.

James Drinkard – I think we will be looking at those variances no matter what goes there.

Suggest for Council to show elevations to show visual of what will be there in addition to what won't be there. I know what were getting if we don't do these variances and don't see a way around it. True hardship.

Jeff Wood – It would be advantageous to say that you are giving up 30% of your land to put in that slope – good solution.

James Drinkard calls for vote.

Motion Passed by Unanimous Vote

B) PUBLIC HEARING – The City of Woodstock has received a Conditional Use Application (**CUP#010-12**) and a Variance Application (**Case V#106-12**) and from North Point Ministries, Inc. of Alpharetta, GA. The property is located east of Ridge Trail on the south side of Ridgewalk Parkway in Woodstock, GA. The property is identified as tax map and parcel number 15N17 001 of ±32.497 acres. The property is zoned NC-TCT (New Community Town Center) and the request is for an conditional use permit to allow a Church in NC-TCT and variances from the Form Based Code to accommodate the site plan submitted with the application.

CUP#010-12

Brian Stockton presented Staff Report and read the DPC recommendation as follows;

In regard to CUP#010-12 the DPC recommends approval of a Conditional Use Permit to allow a Religious Assembly in T-4, T-5 and SD (Special District) with the following condition;

- 1) Block "A" at the intersection of Ridgewalk Parkway and Ridge Trail shall be used for temporary parking with additional temporary greenbelt along Ridgewalk Parkway to accommodate recreation space and additional overflow parking as depicted in the site plan presented at Planning Commission by Bradfield, Richards, Rhodes and Associates Architects dated 12.6.12 attached hereto as Exhibit "A".

Planner's notes – Will take cases one at a time. Strike "Church" and replace with "Religious Assembly" (as worded in code), wherever "Church" appears in staff report.

Parks Huff – Attorney for North Point Ministries. Applicant put this property under contract prior to city rezoning to Form Based Code and worked diligently with staff to come forward with the site plan presented tonight. Initial request is approval of the Conditional Use Permit for Religious Assembly Use. We request you follow staff recommendation, Block A is overflow parking and temporary greenspace for church outdoor events– available for future development compatible to our use – e.g could be office use Monday through Friday which could alternate parking use.

Jeff Wood asked applicant to address traffic impact for this particular use as it related to the Conditional Use requested.

Parks Huff – This site was chosen because it was adjacent to the newly opened interchange. DRI with Traffic Study was approved by ARC. Formed base codes allow retail, office, apartments which are more impactful except Sunday mornings. The proposed main auditorium holds 3000, the outbuildings accommodate Sunday classroom space, meeting rooms, offices. The current facility accommodates approximately 3300 people per weekend over multiple services. They are limited by size of existing space.

Anthony Kenny, Architect – (Off Mic – limited audio) Operation Sunday only, no Saturday, no day care during week, Friday's all staff day off, children's ministry Friday once a month. Planned capacity is 1100 seating now with multiple services. Will grow to planned seating. Campus structure – classrooms

Jeff Wood – Will Civic Space for community Rental be available? High School Graduations?

Parks Huff - Parking deck for Downtown events shuttled to events. Watermark model is to reach out to community.

Lee Zell – Parking deck: how many stories?

Anthony Kenny - 2 stories, one below grade.

Joe Linden – Sunday evening services?

Anthony – Model not yet determined.

Judy Davila – Will there be exterior bells or music?

Anthony Kenny - No exterior music.

OPEN PUBLIC HEARING

Robert Synder 414 Norton Crossing signed up but left the meeting prior to Public Hearing

Jane Hagen – 534 Quinn Dr – We (Ridge Trail) need a signal now not later. Concerned about lighting in the parking lot and maintaining buffer zone between proposed development and residential homes.

OPEN PUBLIC CLOSED

REBUTTAL

Parks Huff - Under current formed base code intensity would increase with retail, office and residential. We can agree to maintain the 50 ft undisturbed buffer along the back. Lighting is turned off when church is not in use.

Motion to recommend approval of CUP#010-12 as presented by staff with staff condition.

By John Szczesniak S
2nd K. Scott Gordon

John Szczesniak – The use is a much less intense use, hate to remove that much retail, but have worked with this group before and commend them site plan this large with as few variances as they've presented. Shuttle is a win for city.

Lee Zell – Love this, positive thing for community based on number 3000 people each week near our retail. Great deal of parking to supplement the parking we need DT from time to time. Not okay with large expanse of gravel. Grass or pervious pavement (like starbucks). Field of gravel is not aesthetically attractive along road.

Brian Stockton – Grass and pavers are not for regular use – overflow. This will be used every Sunday.

Parks Huff – It will be heavily landscaped along road.

Motion to Approve Passes by Unanimous Vote.

**V#106-12 – Brian Stockton read the staff report and DPC recommendation as follows:
In regard to V#106-12 the DPC recommends approval of variances as follows:**

- 1) A Variance is granted from form based code section 18.205 of the Land Development Ordinance of the City of Woodstock GA regarding block standards to allow a block with a 2,000 foot perimeter and another block for a 2,275 foot perimeter.
- 2) A Variance is granted from form based code section 18.206 of the Land Development Ordinance of the City of Woodstock GA relating to lot structure to allow for a 700 foot wide lot along Ridgewalk Parkway.
- 3) A variance is granted from section 18.408 2.h of the Land Development Ordinance of the City of Woodstock GA regarding moped and bicycle parking spaces to allow a minimum of 30 bicycle spaces.
- 4) A fifty foot undisturbed buffer shall be maintained where the property abuts the Whitfield Neighborhood.

Brian Stockton – The Applicant got in on the front end of form based code, 2 minor variances shows commitment to work with us on the new code. Interior walkways – if walkways were exterior they would not need variances. 225 bike spaces would be required without the variances. Parks Huff – The Church will have a symbiotic relationship with surrounding retail, outlet. Typical model of religious assembly all surface parking. Engineer/Architect worked with code resulting site plan before you tonight. Not asking for architectural variance. Variance relates to block face and block perimeter, hallways are climatized for moms and kids trying to move between buildings. Building will be separate buildings with lots of glass and walkways will be pedestrian type space. Height of building will be higher than walkways. The reason for “Temporary Parking” language in the condition – don’t want someone to say “you guaranteed us a park”, want it clear in the record that it would become something else. Parking lot is symbiotic relationship with the city to allow parking for Downtown events.

John Szczesniak – Landscaping?

Parks Huff - Will comply with landscape ordinance.

John Szczesniak - Size of main parking lots – any way to break up those big islands?

Brian Stockton – Trees at end of rows and there are street tree requirements on Ridge Trail frontage, Ridgewalk parkway, in addition to other points spread out throughout the site. The focus of smart code is to dress up the street frontages rather than the parking which is hidden in back.

Lee Zell – Can we require the buffer zone shown against the residential subdivision?

Parks Huff – Buffer is shown as exists, we would be amenable to condition to maintain buffer.

Lee Zell – 20 bicycle spots only accommodates five families of four. Could that increase to 40?

Anthony Kenny– No problem with that. If those 20 spots fill they will add more racks the next week.

PUBLIC HEARING – No Speakers

Motion to approve V#106-12 with DPC recommendation as written. And the following;

1) Agreement property line abutting residential 50 ft undisturbed buffer

2) Min 30 bike spaces

(Buffer language to be approved by City Atty.)

By Lee Zell

2nd John Szczesniak

John Szczesniak - Great addition to community. In regard to bike parking I don’t like dictating what they provide for their customers. 50 ft buffer; there is already a 50ft buffer.

Lee Zell – clarification - Maintain the existing 50 ft buffer, not additional 50ft buffer.

Jeff Wood – Understand the FBC can allow flexibility but this isn’t the way that I foresaw it.

Brian Stockton - Within the NC TCT includes only certain percentages of each T - Zone that you can put in of the overall district.

Jeff Wood - Because they are the first ones to the dance they can use all of the T-5?

Brian Stockton – Yes, that was debated throughout the FBC process. Choice between placing T-zones at time of zoning and allowing flexibility.

Joe Linden – Anything involving Andy Stanley should be a go.

James Drinkard – Impressed that you can apply smart code to a project this large with this few variances.

K. Scott Gordon – And to staff as well. They are still providing use the street grids, an attempt at architecture, appreciative of what we see tonight.

John Szczesniak – We were told that this could not be done by the developers. Cool to see that it could be done.

Lee Zell – Asking for just ten more bike spaces fits in with the larger city vision of trying to tie our citizens together.

Judy Davila – Yes, this can be realized, applaud first rendition, you may be proud of what you ended up with.

Motion to Approve Passes by Unanimous Vote.

C) PUBLIC HEARING – The City of Woodstock has initiated a rezoning application (**Case Z#057-12**). The property is identified as tax map and parcel number 15N18B 009 located 103 Bowles Dr. in Woodstock, Georgia consisting of ±0.71 acres currently zoned DT-LR (Downtown Low Density Residential). The request is to rezone to DT-RO (Downtown Residential Office) to correct a mapping inconsistency and accommodate the existing retail use on the property.

Brian Stockton presented staff report and read the DPC recommendation. 103 Bowles Rd was rezoned in 2003 to NC (neighborhood Commercial) to accommodate the House and Garden Boutique which has held an active business license since that time. The NC zoning, however, was not reflected on the zoning map following the 2003 rezoning action. In 2005 the zoning map was updated with the Downtown Masterplan assigning the subject property a DT-LR (Residential Zoning). The DPC voted unanimously to return the property to DT-RO, a commercial zoning classification compatible with current use of the property as well as the surrounding area.

Lee Zell – How does this affect the homes behind it?

Brian Stockton – There are no buffer requirements in the downtown code.

Motion to recommend approval of Z#057-12 as recommended by DPC.

By Jeff Wood

2nd Judy Davila

Passed by Unanimous Vote

D) PUBLIC HEARING – the City Council of the City of Woodstock is proposing revisions to the Land Development Ordinance Chapter VII Performance Zoning Standards Article 5.

Brian Stockton read staff report and DPC recommendation as follows;

Current Code:

7.506 (10) Manufacturing Facility—Limited—shall be limited to establishments which do not use more than forty thousand (40,000) gallons of water per month in the manufacturing process, emit noise in excess of the City's noise restrictions for commercial users, odor, dust, vibrations or fumes beyond the building enclosure.

Strike above definition and replace with the Proposed:

7.506 (10) Manufacturing Facility-Limited-shall be limited to establishments that are less capital intensive and more consumer-oriented than business-oriented (i.e., most products are produced for end users rather than as intermediates for use in other manufacturing). Limited Manufacturing facilities typically have less environmental impact; the manufacturing process is performed completely within a building and is typically associated with the production of small consumer goods.

John – Word “Typically” leaves it open to apply for a use permit.

Brian Stockton – No, it is either allowed or not.

Judy Davila – Concerned about the removal of “odor, noise, dust, vibrations...etc”.

Brian Stockton – Those are covered under our nuisance ordinance.

PUBLIC HEARING OPEN/CLOSED - No speakers

Motion to approve definition change to LDO for Manufacturing Ltd as presented by staff

By James Drinkard

2nd K. Scott Gordon

Judy Davila offered ***Friendly Amendment to exclude the second occurrence of the word “typically”***

Accepted by James Drinkard and K. Scott Gordon

James Drinkard – if small craft brewery would fit with this definition.

Brian Stockton – Yes.

Motion to passes by Unanimous Vote

Item 5: PROJECT UPDATES

Would expect three more variance requests on outparcels.

Brian Stockton – For future consideration: Since case load in increasing, if interested, we can hold work sessions at 6 PM prior to regular meeting. Would have to be advertised because quorum is present and questions only no discussion or debate.

James Drinkard – Requested DRI information, if available, in the packet. Requested all reply to Meeting notice with attendance plans.

Lee Zell – Would benefit from Smartcode review.

Staff will setup a work session dedicated to Smartcode review.

Item 6: FINAL ADJOURNMENT at 10:07